

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of : Docket No: OT-4328 US
Adams *et al.* : Date: January 28, 2009
Application No: 09/163,259 : Examiner E. Pico
Filing Date: 9/29/1998 : Art Unit: 3654

Title: ELEVATOR SYSTEM HAVING DRIVE MOTOR LOCATED BETWEEN
ELEVATOR CAR AND HOISTWAY SIDEWALL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith is an Information Disclosure Statement, Form PTO-1449, submitted in compliance with:

- 37 C.F.R. 1.97(b) - This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution under §1.53(d), within three months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits or before mailing of a first office action after the filing of a request for continued examination under §1.114. No statement or fees are required.
- 37 C.F.R. 1.97(c) - This information disclosure statement is being filed after the period specified in §1.97(b) and before the mailing date of either a final action under 37 C.F.R. 1.113, a notice of allowance under 37 C.F.R. 1.311 or an other Office Action that otherwise closes prosecution in the application, and is accompanied by either Box (1) or (2), under **STATEMENT AND FEE** (marked accordingly).
- 37 C.F.R. 1.97(d) - This information disclosure statement is being filed after the time period specified in §1.97(c), but on or before payment of the issue fee and is accompanied by both Box (1) and (2) under **STATEMENT AND FEE** (marked accordingly).

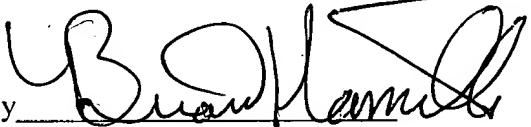
STATEMENT AND FEE

(1)[X] 37 C.F.R. 1.97(e) Statement - that each item of information contained in the information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. (A copy of the communication is enclosed.)

[] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the information disclosure statement.

(2) \$180.00 fee in accordance with 37 C.F.R. 1.17(p) is due. [Credit Card Payment Form Attached.]

Respectfully submitted,

By 
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